

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

WALSH SECURITIES, INC.,

Plaintiff,

vs.

CRISTO PROPERTY MANAGEMENT,
LTD., a/k/a G.J.L. LIMITED, DEK
HOMES OF NEW JERSEY, INC.,
OAKWOOD PROPERTIES, INC.,
NATIONAL HOME FUNDING, INC.,
CAPITAL ASSETS PROPERTY
MANAGEMENT & INVESTMENT CO.,
INC., CAPITAL ASSETS PROPERTY
MANAGEMENT, L.L.C., WILLIAM
KANE, GARY GRIESER, ROBERT
SKOWRENSKI, II, RICHARD
CALANNI, RICHARD DiBENEDETTO,
JAMES R. BROWN, THOMAS BRODO,
ROLAND PIERSON, STANLEY
YACKER, ESQ., MICHAEL ALFIERI,
ESQ., RICHARD PEPSNY, ESQ.,
ANTHONY M. CICALESE, ESQ.,
LAWRENCE CUZZI, ANTHONY
D'APPOLITO, DAP CONSULTING,
INC., COMMONWEALTH LAND TITLE
INSURANCE CO., NATIONS TITLE
INSURANCE OF NEW YORK, INC.,
FIDELITY NATIONAL TITLE
INSURANCE CO. OF NEW YORK,
COASTAL TITLE AGENCY, STEWART
TITLE GUARANTY COMPANY, IRENE
DIFEO, DONNA PEPSNY and
WEICHERT REALTORS,

Defendants.

CIVIL ACTION NO. 97-3496 (WGB)

Honorable William G. Bassler

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the enclosed Memorandum of Law
in Support of the Motion of Weichert, Realtors ("Weichert") to Dismiss the Third

CERTIFICATE OF SERVICE

I hereby certify that on this day I caused the within Notice of Motion to Dismiss the Complaint For Failure to State a Claim Pursuant to Fed. R. Civ. P. 12, Memorandum of Law in Support of said Motion, Certification of John B. McCusker and proposed form of Order to be served by Federal Express upon:

All parties as set forth in Exhibit A attached hereto.

McCUSKER, ANSELM, ROSEN
CARVELLI & WALSH, P.A.
127 Main Street
Chatham, New Jersey 07928
(973) 635-6300
Attorneys for Weichert, Realtors.

By: 

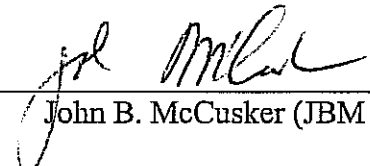
John B. McCusker

Dated: May 10, 2005

Amended Complaint For Failure to State a Claim Pursuant to Fed. R. Civ. P. 12, the Declaration of John B. McCusker, with attached Exhibits A-J, a proposed form of Order, and upon the pleadings filed heretofore, the undersigned attorneys will move, before the Honorable William G. Bassler, United States District Court Judge, District of New Jersey, Martin Luther King, Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, on the ___ day of ___, 2005 at 10:00 a.m. in the forenoon or as soon thereafter as counsel may be heard, for an Order, in the form of the proposed order enclosed herewith, granting Final Judgment in favor of Weichert and against plaintiff Walsh Securities.

PLEASE TAKE FURTHER NOTICE that the undersigned requests oral argument.

McCUSKER, ANSELM, ROSEN,
CARVELLI & WALSH, P.C.
127 Main Street
Chatham, NJ 07928
(973) 635-6300
Attorneys for Defendant Weichert, Realtors.

By: 
John B. McCusker (JBM 1482)

Dated: May 10, 2005